



**A = Approved, A1 = Approved First Reading, A2 = Approved Second Reading, D = Deferred,
NA = No Action, PH = Authorized Public Hearing, AD = Approval Denied**

ACTION AGENDA

Hickory City Council
76 North Center Street

September 15, 2015
7:00 p.m.

- I. Call to Order
- II. Invocation by Alderman Seaver
- III. Pledge of Allegiance
- IV. Special Presentations

Mayor Wright recognized Boy Scout, Nick Sadowski who was in attendance with his father Joey Sadowski. Nick was working on his civics merit badge.

City Attorney John Crone advised that Nick was his nephew and that he was a good young man.

- NA** A. Alan Barnhardt – Update on Catawba Science Center Projects

Mr. Alan Barnhardt thanked Council for the opportunity to speak. He discussed the Catawba Science Center Portal to Science Program. This program offers reduced admission prices for qualified families. Individuals living in Alexander, Burke, Caldwell or Catawba counties and receiving federal assistance may request a Portal to Science Passport card from their county's Department of Social Services.

- V. Persons Requesting to Be Heard
- VI. Approval of Minutes

- A** A. Special Meeting of September 1, 2015 **(Exhibit VI.A.)**

- A** B. Regular Meeting of September 1, 2015 **(Exhibit VI.B.)**

- VII. Reaffirmation and Ratification of Second Readings. Votes recorded on first reading will be reaffirmed and ratified on second reading unless Council Members change their votes and so indicate on second reading.

- A2** A. Budget Ordinance Amendment Number 21 **(First Reading Vote: Unanimous)**

- A2** B. Grant Project Ordinance Number 1. **(First Reading Vote: Unanimous)**

- A2** C. Consideration of Changes to Hickory City Code Ordinance Chapter 4 – Animal and Fowl. **(First Reading Vote: Unanimous)**

- A2** D. Approval of an Invitation to Bid and Contract to Huffman Grading Co. Inc. in the Amount of \$121,287 for Additional Parking at Glenn C. Hilton Jr. Recreation Park. **(First Reading Vote: Ayes: Alderman Meisner, Alderman Seaver, Alderman Guess, Mayor Pro Tempore Zagaroli and Alderwoman. Nay: Alderman Lail)**

- A2** E. Approval of the Glenn Hilton Park Settlement Agreement in the Amount of \$10,000 and Budget Ordinance Amendment 5. **(Exhibit VII.E.) (First Reading Vote: Unanimous)**
- VIII. Consent Agenda: All items below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests. In which event, the item will be removed from the Consent Agenda and considered under Item IX.
- A1** A. Approval of a Landscape Grant for Non-residential Property Owned by First Lawyers, LLC, Located at 858 2nd Street NE in the Amount of \$2,500. **(Exhibit VIII.A.)**
- City Council created the Landscape Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of their property. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$2,500. The applicant, First Lawyers, LLC has provided two bids for the removal of two existing hard surfaced areas, which are to be replaced by brick sidewalks and landscaping beds. Both estimates exceed \$5,000, and qualifies for the full \$2,500 grant. The Community Appearance Commission voted unanimously (7-0), at their August 24, 2015 meeting, to recommend funding of the requested grant in the amount of \$2,500.*
- A1** B. Approval of a Community Appearance Grant for Non-residential Property Owned by Phillip McCluney Located at 903 10th Street NE, in the Amount of \$5,000. **(Exhibit VIII.B.)**
- City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. The applicant, Phillip McCluney has provided two bids for the renovation of an existing commercial building. Both estimates exceed \$10,000, and qualifies for the full \$5,000 grant. The Community Appearance Commission voted unanimously (7-0) at their August 24, 2015 meeting, to recommend funding of the requested grant in the amount of \$5,000.*
- A1** C. Approval of a Community Appearance Grant for Non-residential Property Owned by Cooperative Christian Ministry (CCM) Located at 31 1st Avenue NE, in the Amount of \$5,000. **(Exhibit VIII.C.)**
- City Council created the Community Appearance Grant program in 1999 to provide economic incentives for property owners to improve the general appearance of properties located within the City's designated Urban Revitalization Area. The Community Appearance Commission reviews applications for the grant program and forwards a recommendation of approval or denial to City Council. The grants are designed as a reimbursement grant in which the City of Hickory will match the applicant on a 50/50 basis. The maximum grant amount from the City of Hickory is \$5,000. The applicant, Cooperative Christian Ministry has provided two bids for the renovation of the exterior of their facility. Both estimates exceed \$10,000, and qualifies for the full \$5,000 grant. The Community Appearance Commission voted unanimously (7-0) at their August 24, 2015 meeting, to recommend funding of the requested grant in the amount of \$5,000.*
- A** D. Special Events Activities Application for Rodney Atkins Concert, Megan Meade, Director of Community Relations and Events, Hickory Crawdads, October 17, 2015 from 9:00 a.m. to 1:00 a.m. at 2500 Clement Boulevard NW. **(Exhibit VIII.D.)**

- A** E. Special Events Activities Application for Symphony Under the Sails, Mandy Pitts, Communications Director/Brand Manager, City of Hickory, September 20, 2015 from 1:00 p.m. to 7:30 p.m. at the Sails on the Square Stage in Downtown Hickory. **(Exhibit VIII.E.)**
- A** F. Special Events Activities Application for Time of My Life Tour, Megan Meade, Director of Community Relations and Events, Hickory Crawdads, October 16, 2015 from 9:00 a.m. to 1:00 a.m. at 2500 Clement Boulevard NW. **(Exhibit VIII.F.)**
- A** G. Approval of a Cemetery Deed from City of Hickory to Charlie Crews (Southside Cemetery, Plot 4F, Lot Number 7 and 8, Section 4) (Prepared by Deputy City Attorney Arnita Dula).
- A** H. Approve the Transfer of Cemetery Deed from Austra B. Friday, by and through her Attorney-in-Fact, Paul Marshall Friday to Betty Beshears, (Oakwood Cemetery, Section 36, Block Q, Lot 2 gravesite numbers 002 and 003) (Prepared by Attorney John G. Fuller).
- A** I. Citizens' Advisory Committee Recommendations for Assistance through the City of Hickory's Housing Programs. **(Exhibit VIII.I.)**

The following requests were considered by the Citizens' Advisory Committee at their regular meeting on September 3, 2015: Each of the following applicants are being recommended for approval for assistance under the City of Hickory's 2015 Urgent Repair Program. This program provides qualified low income citizens with assistance for emergency related repairs not to exceed \$7,200.

- Cassell (Cassie) Deal, 1609 17th Street NE, Hickory
- Rosalyn Reinhardt, 721 7th Avenue Court SE, Hickory
- Doris Sanders, 410 2nd Street SE, Hickory

The Citizens' Advisory Committee recommends approval of the aforementioned requests for assistance through the City of Hickory's housing assistance programs.

- A2** J. Acceptance of the Bid and Award of the Construction Contract to Hickory Sand Company, Inc. for the Construction of the Sherwood Forest Sewer Project in the amount of \$748,924.50. **(Exhibit VIII.J.)**

In 1998 Sherwood Forest was identified as a part of the future service areas for the City of Hickory sanitary sewer system. Staff applied for State Revolving Grant funds for completion of this project on April 1, 1999. Staff resubmitted an updated Preliminary Engineers Report in 2009. NCDENR Division of Water Quality and NC Construction Grants and Loans issued final approval on May 10, 2010. The project was approved for a grant to fund construction of necessary sanitary sewer infrastructure to provide public sewer to the homes in this subdivision. City Council approved the Resolution accepting the application for grant funds in July 2010. The project was advertised for bids and found Hickory Sand Company, Inc. to be the lowest responsible bidder. Staff recommends Council accept the bid and award of construction contract with Hickory Sand Company, Inc. in the amount of \$713,261.50, and a contingency of \$35,663 for a total of \$748,924.50 for the Sherwood Forest sewer project.

- A** K. Acceptance of the 2015 Justice Assistance Grant in the Amount of \$19,555 and to Serve as the Lead Agency in the Grant Process for a Combined Amount of \$32,455. **(Exhibit VIII.K.)**

Hickory Police Department requests permission to accept funds from the 2015 Justice Assistant Grant (JAG) to purchase 12 additional body-worn cameras, hardware, hardware service/replacement, and digital evidence management storage. City of Hickory and Catawba County received notification of approval to receive a combined allocation of \$32,455 under the 2015 Assistance Grant Program. Catawba County is

eligible for a direct award of \$12,900 and the City of Hickory is eligible for a direct award of \$19,555. There is no match required. The City of Hickory has agreed to serve as lead agency in the grant application process. Hickory Police Department recommends acceptance of the JAG grant to purchase the additional body worn cameras, hardware, service and digital evidence management solution in the amount of \$19,555 and to serve as lead agency in the grant process for a combined amount of \$32,455.

- A** **L.** Acceptance of the Bulletproof Vest Grant for the Purchase of Bulletproof Vests for Police Officers. **(Exhibit VIII.L.)**

Hickory Police Department requests permission to accept a grant to assist in funding the purchase of bulletproof vests for police officers. The grant will pay up to 50 percent of the cost of NIJ approved vests purchased by Hickory Police Department. Forty-five vests have been requested at an estimated price of \$750 for each vest. Hickory Police Department has a mandatory wear policy for all uniformed officers while on duty. Funds are placed in the police department budget uniform line item annually to purchase vests for police officers. Life expectancy of each vest is approximately five years. The Police Department recommends acceptance of this grant to receive up to 50 percent funding to purchase bulletproof vests for police officers.

- A1** **M.** Grant Project Ordinance Number 2. **(Exhibit VIII.M.)**

1. *To set up Bulletproof Vest Partnership project to allow for the purchase of 45 vests at (\$750) and \$400.00 shipping for a total expense of \$34,150. The City has received a Federal award from The United States Department of Justice in the amount of \$16,672.24 to pay up to 48.82% of the costs of National Institute of Justice approved vests. The required local match in the amount of \$17,477.76 will be transferred from the original police department operational budget.*

- A1** **N.** Budget Ordinance Amendment Number 6. **(Exhibit VIII.N.)**

1. *The City has received a Federal award from The United States Department of Justice in the amount of \$16,672.24 to pay up to 48.82% of the costs of National Institute of Justice approved vests. The required local match in the amount of \$17,477.76 will be transferred from the original police department operational budget via this Budget Ordinance Amendment request.*

IX. Items Removed from Consent Agenda

X. Informational Item

XI. New Business:

A. Public Hearings

- A** 1. Consolidated Annual Performance and Evaluation Report (CAPER).
(Exhibit XI.A.1.)

The U.S. Department of Housing and Urban Development requires the City of Hickory, as a Community Development Block Grant (CDBG) entitlement funding recipient, to report on CDBG monies spent within the previous fiscal year. This report, the Consolidated Annual Performance and Evaluation Report (CAPER) evaluates the effectiveness of the use of resources in addressing identified goals and objectives cited in the Annual Action Plan which is prepared before the fiscal year begins. The CAPER outlines the City's CDBG expenditures from July 1, 2014 through June 30, 2015. Staff recommends approval of the FY2014-2015 Consolidated Annual Performance and Evaluation Report.

This public hearing was advertised in a newspaper having general circulation in the Hickory area on September 4, 2015 and September 15, 2015.

B. Departmental Reports

- A1 1. Acceptance of the Bid for the Water Treatment Facility Emergency Power Generator Replacement Project with Crowder Construction Company in the amount of \$2,699,000. **(Exhibit XI.B.1.)**

The City of Hickory Water Treatment Facility was last upgraded in 1993. This upgrade included the installation of a new emergency generator that would provide power for the facility in the event of a power failure. The emergency generator is a permit required critical piece of equipment for operations of the facility. The existing generator is approximately 24 years old and has exceeded the mechanical life of the unit. Vendors cannot provide replacement parts to repair the existing unit. In October of 2014 Council approved contracting with HDR Engineering, Inc. to evaluate the existing conditions, and analyze the generator for proper sizing. The project was advertised for bids and found Crowder Construction Company to be the lowest responsible bidder. The bids received are below the Engineer's Estimate of \$3.0 million dollars. Staff recommends Council accept the bid for the Water Treatment Facility emergency power generator replacement project with Crowder Construction Company in the amount of \$2,699,000. This project is planned as a component of the FY 2015-2016 Capital Budget to be funded from Capital Reserves.

- A 2. Acceptance of the Southwest Hickory Revitalization Strategy Plan for the Southern Desk and Ivey Weaver Cotton Mill. **(Exhibit XI.B.2.)**

The City of Hickory applied for two Community-wide Brownfield Assessment Grants from the US EPA in November 2011. In May 2012, the City received notice that it had been selected to receive two \$200,000 grants to assess petroleum and hazardous materials contamination at Brownfield sites. The City's environmental consultant, AMEC Foster Wheeler, subcontracted with CIII Associates to compete a redevelopment strategy for the former Southern Desk and Ivey Weaver Cotton Mill sites. The City hosted a public workshop in May 2015. After reviewing the existing conditions at the sites, speaking with residents, and conducting market analysis, CIII Associates has presented a mixed use vision to guide future development at the two sites. Staff recommends that City Council accept the Southwest Hickory Revitalization Strategy plan for the Southern Desk and Ivey Weaver Cotton Mill sites.

- A 3. Appointments to Boards and Commissions

COMMUNITY RELATIONS COUNCIL

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)

Other Minority VACANT

Other Minority VACANT

HICKORY REGIONAL PLANNING COMMISSION

(Terms Expiring 6-30; 3-Year Terms With Unlimited Appointments)

(Appointed by City Council)

Burke County (Mayor to Nominate) VACANT Since 8-6-2008

Brookford (Mayor to Nominate) VACANT Since 6-2006

Catawba County (Mayor to Nominate) VACANT

INTERNATIONAL COUNCIL

(Appointed by Mayor with the Concurrence of City Council)

(9) Positions VACANT

Alderman Guess nominated Joseph Getlein Jr. to International Council

PARKS AND RECREATION COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
At-Large Minority VACANT

PUBLIC ART COMMISSION

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 VACANT
Ward 4 VACANT David Whitley resigned 9-9-2015
At-Large (Mayor Nominates) VACANT Mylinda Strittmatter resigned 9-8-2015

Alderman Guess nominated Edwin Dennis, Ward 4 Representative, Public Art Commission.

PUBLIC HOUSING AUTHORITY

(Terms Expiring 6-30; 5-Year Terms) (Appointed by Mayor)
Tenant Representative (Mayor Nominates) VACANT

Mayor Wright nominated Velecia Hackett as Tenant Representative, Public Housing Authority

RECYCLING ADVISORY BOARD

(Terms Expiring 6-30; 3-Year Terms) (Appointed by City Council)
Ward 3 VACANT

YOUTH COUNCIL

(Terms Expiring 6-30; 1-Year Terms) (Appointed by City Council)

Hickory Career Arts Magnet VACANT

C. Presentation of Petitions and Requests

XII. Matters Not on Agenda (requires majority vote of Council to consider)

XIII. General Comments by Members of Council, City Manager or City Attorney of a Non-Business Nature

Alderman Seaver thanked the community for supporting the Kiwanis Golf Tournament this past Friday. He advised that several Council members had participated in one form or another. He commented it was one of the best they had in the past ten years. He thanked Hickory and the surrounding community that participated.

Mayor Wright commented approximately 148 participants.

Alderman Seaver commented the biggest one in a while.

Alderman Patton mentioned the Pops Concert Sunday night, Sails on the Square, at 5:00 p.m.

Mayor Wright commented that his visitors from Brazil loved the Sails, concert, and the sense of comradery, and the sense of community.

Alderman Guess reminded everyone that it was 100 days until Christmas.

City Manager Mick Berry pointed out that this would be the last meeting that Mandy Pitts would be in attendance in her capacity as an employee of the City of Hickory. She had been attending meetings for 17 years, approximately 400 plus meetings. He commented that she would be missed, and congratulated her and wished her luck.

Mandy Pitts commented that she would be back in February requesting money.

Mayor Wright commented that the City's association with the Tourism Development Authority, he was glad that it was going to be in great hands. He commented that if someone would have asked him who would be the best person to think of for that job, if he had enough time to think about it, and if we could afford to lose her in the City, and no we can't, he probably wouldn't have named her. Other than that he would have named Mandy Pitts.

Mayor Wright commented that the State budget is getting closer to a negotiated settlement. He commented that at the present time the City may not lose any sales tax dollars. That is good, and it has not been without effort. He thanked Yaidee Fox, the City's Registered Lobbyist. He said that Yaidee Fox was the best Registered Lobbyist that anybody has in North Carolina, and she has worked diligently and prodded the rest of them to get involved. She even got Alderman Zagaroli to go down. Alderman Guess went as well. We have also received help from the League of Municipalities, and the Metropolitan Mayors Coalition.

Alderman Lail commented that the Mayor had also been there more than once.

Mayor Wright confirmed that he had been there, and some of it was for some other groups, some for the City of Hickory, and some because Mrs. Fox made him attend.

Mayor Wright advised that Council would have a special meeting tomorrow night to discuss the role that the City has taken in the past with respect to Hickory Housing Authority, and whether they think that there is going to be any change in that role as the Housing Authority moves forward along with the rest of HUD Nationally in setting up a different public housing delivery structure. He advised that Council would not be discussing any personnel matters, or issues that are being controlled by the present Board of the Hickory Housing Authority, but Council would talk about the City's role in the past and where they see it going in the future.

XIV. Adjournment

**The City of Hickory holds all public meetings in accessible rooms.
Special requests for accommodation should be submitted by individuals
with disabilities at least 48 hours before the scheduled meeting.
Phone Services (hearing impaired) – Call 711 or 1-800-735-2962**